



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 21/03/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.5293 of 2023

Kulothungan

... Petitioner/Accused No.17

Vs

The State represented by
The Inspector of Police,
Sethu Pavachathram Police Station,
Thanjavur District.
Crime No. 63 of 2014.

... Respondent/Complainant

For Petitioner : M/s.Mani Anand P,
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No. 63 of 2014 on the file of
the respondent Police.

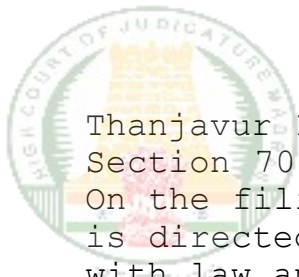
ORDER : The Court made the following order :-

The petitioner apprehends arrest at the hands of the respondent
police in S.C.No.250 of 2019 on the file of the learned III
Additional District and Sessions Judge, Pattukottai, Thanjavur
District for the offences punishable under Sections 147, 148, 323,
506(i) of IPC and section 3(1) of TNPPDL Act in Crime No.63 of 2014,
seeks anticipatory bail.

2.The petitioner was absent during the trial in S.C.No.250 of
2019 on the file of the learned III Additional District and Sessions
Judge, Pattukottai, Thanjavur District Therefore, Non-Bailable
Warrant came to be issued.

3.The learned counsel appearing for the petitioner undertakes
that the petitioner shall appear before the Court below regularly on
all future hearing dates without fail.

4.Considering the undertaking given by the learned counsel for
the petitioner, the petitioner is directed to appear before the
learned III Additional District and Sessions Judge, Pattukottai,



Thanjavur District on the next hearing and to file a petition under Section 70(2) of Cr.P.C., to recall NBW already issued against him. On the filing of such petition, the concerned learned Sessions Judge is directed to consider the same on its own merits and in accordance with law and pass orders on the same day.

5. With the above direction, this Criminal Original Petition is disposed of.

6. It is made clear that while considering the petition to recall, the Court below shall bear in mind about the period of Non-Bailable Warrant and any crime committed while pending Non-Bailable Warrant. Mere direction issued by this Court to consider the application on the same day does not amount to direction to consider the recall petition favourably.

sd/-
21/03/2023

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/03/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE III ADDITIONAL DISTRICT
AND SESSIONS JUDGE, PATTUKOTTAI.

2 THE INSPECTOR OF POLICE
SETHU PAVACHATHRAM POLICE STATION,
THANJAVUR DISTRICT.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.MANI ANAND P Advocate SR.No.4818

ORDER
IN
CRL OP(MD) No.5293 of 2023
Date :21/03/2023

SS/CG/SAR II/27/03/2023/2P/5C